

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHERRY KOLICH,

Plaintiff,

v.

ANDREW SAUL, Commissioner of
Social Security,¹

Defendant.

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: 3:19-CV-891
:
: (JUDGE MARIANI)
: (Magistrate Judge Mehalchick)
:
:
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:
:

ORDER

AND NOW, THIS 28TH DAY OF APRIL 2020, upon review of Magistrate Judge Mehalchick's Report and Recommendation ("R&R") (Doc. 29) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 29) is **ADOPTED** for the reasons set forth therein;
2. The Commissioner of Social Security's decision is **VACATED**;
3. The case is **REMANDED** to the Commissioner to conduct a new administrative hearing before a constitutionally appointed ALJ other than the ALJ who presided over Plaintiff's first hearing;
4. Judgment is entered in favor of Plaintiff and against the Commissioner of Social Security.
5. The Clerk of Court is directed to **CLOSE** this case.

s/ Robert D. Mariani

Robert D. Mariani
United States District Judge

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Andrew Saul, the current Commissioner of Social Security, is substituted as the Defendant to this action.